

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
AUGUST 3rd, 2009 7:00 p.m.**

The Regular Meeting of the Pocono Township Supervisors was held on August 3rd, 2009 at the Pocono Township Municipal Building, Tannersville, Pa., and was opened by Chairwoman, Jane Cilurso, at 7:00 p.m. followed by the Pledge of Allegiance.

ACKNOWLEDGEMENT OF COMMENTS RE RESIDENTS: Chairwoman J. Cilurso noted that each visitor has the right to comment at this time or before any action is taken on the matter.

NOTICE OF MEETING TIMES: J. Cilurso welcomed the audience and thanked them for attending. She noted the regularly scheduled Supervisors meetings are held on the 1st and 3rd Monday of each month at 7:00 p.m. unless rescheduled.

ROLL CALL: Jane Cilurso, present; Harold Werkheiser, present; and John Bramley, present.
Timothy McManus, Township Solicitor, Aaron DeAngelo, Alternate Solicitor, Drew Wagner, Boucher & James, Engineering, Inc., Pamela Finkbeiner, Recording Secretary, and Steve Meylach, Zoning Officer were present.

MINUTES: H. Werkheiser made a motion, seconded by J. Bramley, to approve the minutes of the 07/20/2009 regular Supervisors' meeting. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

J. Cilurso made a motion, seconded by H. Werkheiser, to approve the minutes of the 07/21/2009 special meeting. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, abstained. Motion carried.

BILLS: J. Bramley made a motion, seconded by H. Werkheiser, to approve the semi-monthly bills for payment. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

COMMUNICATIONS: All communications pertained to the plans and were addressed when the plans were presented.

BIDS: None

CONSTRUCTION ENGINEERING REPORT: None

SEO REPORT: Dennis Keesler, Township Sewage Enforcement officer was absent.

ZO REPORT: Steve Meylach, Township Zoning Officer, reported 29 permits were issued. He is presently reviewing a Windmill ordinance. He thanked Sgt. Phillip Reilly and Patrolman Earl Ackerman for their assistance in cleaning up two properties. A full copy of his report is on file and available at the township office.

NEW PLANS:

- 1) Charles McHugh Lot Consolidation Plan - Plan submitted for the 08/03/2009 Sup'v. meeting. \$300.00 plan application fee paid. \$1,500.00 Escrow fee paid. Richard Storm, Surveyor, represented the plan. The owners are combining two existing (5) acres lots in the Wise Subdivision. J. Cilurso noted the application was complete. J. Bramley made a motion, seconded by H. Werkheiser, to accept the Charles McHugh Lot Consolidation Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

- 2) Lot-2 Hillside Business Park - As-Built Plan - Plan submitted for the 08/03/2009 Sup'v. meeting. Plan and Escrow fees have not been paid. Jeffery Snyder, owner, represented the plan and addressed the comments of the 07/30/2009 Twp. engineering letter. Updated paved areas, fire lanes, and loading areas have been added to the plan. Discussion followed as to remaining issues:
 - A. RFM will be required for the area between the basin and warehouse - exceeds 12% requirement.
 - B. Guiderails shall be installed.
 - C. Building Code Approval for the 6' rock wall.
 - D. Application and Escrow Fees to be paid.
 - E. Elevations of building, and area between access drive and warehouse to be corrected.
 J. Snyder requested the release of the bond for the project. The Twp. Engineer will review the request.
H. Werkheiser made a motion, seconded by J. Bramley, to table the Lot-2 Hillside Business Park - As-Built Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

TABLING OF PLANS:

J. Bramley made a motion, seconded by H. Werkheiser, to table the Nicholas P. Nicholas Final Minor Subdivision/Lot Combination Plan, Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan, Sanofi Pasteur Final Lot Consolidation Plan - South Campus Time, and RJAD, LLC (Anthony Diaz) As-Built LDP,. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

1) ONGOING PLANS:

- 1) Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan - The Pocono Township Planning Commission recommended Conditional approval of the plan for final. The plan was tabled at the 07/20/2009 Sup'v. meeting. The 90-day Time Extension expires on 09/12/2009. The last Sup'v. meeting is 09/07/2009 (Holiday). See motion above for tabling.

- 2) Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan - Plan submitted 11/07/2008 for 11/17/2008 Sup'v. Meeting. \$300.00 Plan fee paid. Plan was tabled at the 07/20/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 09/07/2009 (Holiday). See motion above for tabling.

ONGOING PLANS:

- 3) Sanofi Pasteur Final Lot Consolidation Plan - South Campus - \$300.00 fee paid. Submitted on 12/22/08 for the 01/20/09 Sup'v. meeting. Plan was tabled at the 07/20/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 09/07/2009 (Holiday). See motion above for tabling.
- 4) RJAD, LLC (Anthony Diaz) As-Built Land Dev. Plan - \$500.00 Fee paid. Plan was submitted on 01/16/2009 for the 01/26/2009 P.C. mtg. The P.C. recommended conditional approval of the plan at their 02/23/2009 meeting. The plan was tabled at the 07/20/2009 Sup'v. meeting. The Sup'v. accepted a 90-day Time Extension letter from July 19th, 2009 - until 10/12/09. The last Sup'v. meeting is 10/05/2009. See motion above for tabling.
- 5) Camelback Hotel and Waterpark Prelim/Final Land Dev. Plan and Minor Subdivision Plan - The P.C. recommended disapproval on the Land Dev. Plan and approval on the Minor Subdivision Plan at their 03/23/09 meeting. Plan was submitted to the Sup'v. on 04/06/2009. The plan was tabled at the 07/20/2009 Sup'v. meeting. Nate Oiler, RKR Hess Associates, Inc., and Arthur Berry, owner, represented the plan. Nate Oiler brought the board up to date on the progress of the addressing of the comments of the 03/17/2009 Twp. Engineering Letter. Discussion followed at length, re pending PennDot permit, and the DEP Water Study Supply Permit. The Traffic Impact Study will be completed once the Twp. and PennDot define the traffic improvements for the RT. 715 and Rt. 80 exits and entrances, and corridors. A Time extension letter until 08/17/2009 was presented. J. Cilurso made a motion, seconded by J. Bramley, to accept the Time extension letter until 08/17/2009, and table the Camelback Hotel and Waterpark Prelim/Final LDP and Minor Subdivision Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

TIME EXTENSION LETTERS: The Pocono Township Planning Commission recommended acceptance of the following Time Extension Letters:

- A. Spirit of Swiftwater, Inc. Preliminary Land Dev. Plan - Office - 90 days from 08/07/09 - until 11/05/2009.
- B. Pocono Sewerage Pump Stations Land Dev. Plan - 90-day Extension Letter - until 10/12/2009.

J. Bramley made a motion, seconded by H. Werkheiser, to accept the Time extension letter for Spirit of Swiftwater, Inc. Preliminary Land Dev. Plan-Office - 90-days from 08/07/2009 until 11/05/2009, and Pocono Sewerage Pump Stations Land Dev. Plan - 90-day Extension Letter - until 10/12/2009. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

UNFINISHED BUSINESS:

- 1) Traffic Signal Plan at the intersection of SR314W and RT. 611 and SR314E (By Amber Club in Swiftwater) J. Cilurso made a motion, seconded by J. Bramley, to accept the proposal of Mt. Airy #1, LLC, as set forth in the 07/07/09 correspondence from Attorney Jeffrey Belardi, to add the Township as a co-insured/beneficiary on the performance and payment bonds that Mt. Airy #1, LLC receives from its general contractor and sub-contractors in connection with the installation of the traffic signal, to resolve the performance guaranty impasse. .Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

NEW BUSINESS:

- 1) Resolution #556 - to enter into the Road Vacation Agreement dated 09/04/2007 with Ransha Associates, L.P., to complete the road vacation authorized by Pocono Twp. Ord. #126. J. Cilurso made a motion, seconded by J. Bramley, adopt Resolution #556 - to enter into the Road Vacation Agreement dated 09/04/2007 with Ransha Associates, L.P., authorized by Pocono Township Ord. #126, and to authorize the appropriate Township officer to sign and deliver the agreement for recording. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 2) Resolution #557 - Indicating Pocono Twp's intent to follow the Municipal Records Manual issued by the Pennsylvania Historical and Museum Commission, Bureau of Archives and History, approved on 12/16/08. J. Cilurso made a motion, seconded by J. Bramley, to adopt Resolution #557 re Pocono Twp's intent to follow the Municipal Records Manual issued by the Pennsylvania Historical and Museum Commission, Bureau of Archives and History, approved on 12/16/08. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 3) Motion to approve Mountain View Park Project Payment Request #2 - \$475.00 - Moeller Construction. J. Cilurso acknowledged Moeller Construction's excellent work in completing the improvements at the park. H. Werkheiser made a motion, seconded by J. Bramley, to approve Moeller Construction's Payment Request # 2 - \$475.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 4) Motion to reschedule the 09/07/2009 meeting because of the Labor Day Holiday. J. Cilurso made a motion, seconded by H. Werkheiser, to reschedule the 09/07/09 (Labor Day Holiday) meeting until 09/08/09 at 7:00 p.m. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

5) Fall Clean-up dates and times:

Thursday 09/17/09 7:30 a.m. to 6:00 p.m. Metal Products only

Friday 09/18/09 7:30 a.m. to 6:00 p.m. Landfill Products

Saturday 09/19/09 7:30 a.m. to 3:00 p.m. Landfill Products

A flier will be available in the near future.

6) Update on Monroe County Re-Addressing Project - The Township has received a letter from the Monroe County Control Center estimating approximately one year for completion.

7) Variance Hearings:

1) Outback Lodge & Waterpark 08/20/2009 6:00 p.m. Off-street Loading and Unloading spaces.

2) Setback Stanley & Zuzana Butryman 08/20/09 6:30 p.m. (Continuation Hearing)

The hearings will be held at the Pocono Township Municipal Building, Tannersville, Pa.

GOOD OF THE ORDER: J. Bramley asked the Twp. Solicitor for an update on the Nottingham Manor road dedication. T. McManus reported the last contact was with Atty. Worthington concerning setting up an escrow account, last month. No further actions have been taken.

COMMENTS: None

ADJOURNMENT: J. Bramley made a motion, seconded by H. Werkheiser, to adjourn the meeting at 8:25 p.m. until 08/17/2009 at 7:00 p.m. at the Pocono Township Municipal Building. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

Respectfully submitted
Pamela Finkbeiner
Recording Secretary